

In the Council Chambers of the Showers City Hall, Bloomington, Indiana on Wednesday, March 20, 2019 at 6:32pm, Council President Dave Rollo presided over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
March 20, 2019

Members present: Ruff (arrived 6:34pm), Chopra, Piedmont-Smith, Rollo, Volan, Sims, Sturbaum, Sandberg
Members absent: Granger

ROLL CALL [6:32pm]

Council President Dave Rollo summarized the agenda.

AGENDA SUMMATION [6:32pm]

Councilmember Isabel Piedmont-Smith moved and it was seconded to approve the minutes of January 30, 2018 as corrected. The motion was approved by voice vote.

APPROVAL OF MINUTES [6:33pm]

January 30, 2019 (Special Session)
March 6, 2019 (Regular Session)

Piedmont-Smith moved and it was seconded to approve the minutes of March 6, 2019. The motion was approved by voice vote.

Councilmember Susan Sandberg said that the Affordable Living Committee had completed an initial draft of its report, which examined and described various costs of living and working in the community.

REPORTS

- COUNCIL MEMBERS
[6:35pm]

Councilmember Chris Sturbaum spoke about the importance of affordable housing owned by local residents.

Councilmember Jim Sims welcomed Councilmember Steven Volan back. Sims spoke about the process of updating the city's unified development ordinance (UDO) and urged the public to participate in the process.

Councilmember Steve Volan spoke about the passing of his father and thanked those in the community who had been supportive and helpful during a difficult time for his family.

Councilmember Allison Chopra apologized for eating during the meeting.

Councilmember Isabel Piedmont-Smith thanked Volan for sharing stories about his father and family. She spoke about the Women's History Month Luncheon that had taken place earlier in the day. She complimented the speakers and award winners from the event.

Rollo announced an upcoming talk with Anthony Wier of the Friends Committee on National Legislation. He also reported on the response the Council received from the Indiana Department of Natural Resources (DNR). He said the DNR declined to extend the comment period on a recent logging proposal and declined to meet with the city. He hoped there would be further dialogue between state and local officials.

Terri Porter, Director of Planning and Transportation, presented a progress report on the city's UDO update project. She explained that the update process began in February 2018, after the city updated its Comprehensive Plan. She noted that the UDO hadn't been updated since 2007. She spoke about the importance of updating the UDO given the changes to the Comprehensive Plan. She explained the outreach efforts that had already taken place, as well as future steps for the UDO update. She introduced representatives from Clarion Associates, a consulting firm assisting with the UDO update.

- The MAYOR AND CITY
OFFICES[6:40pm]

Donald Elliott, Clarion Associates, introduced himself and explained the type of work his firm performed. He said the first proposal would simply be the starting point of the democratic process, with more revisions to follow. He listed reasons why the city was updating the UDO. He reviewed the project scope and timeline, as well as key changes that had been made to the UDO since the process started. He noted that many changes had been made to provisions relevant to student housing and affordable housing, in an effort to better define and separate out the treatment of each type of housing. He explained rules related to neighborhood transitions. He noted that the UDO included more objective incentives for developers to build affordable housing. He pointed out areas of community concern that had generated discussion and disagreement. He explained the next steps in the process

The Mayor and City Offices
(cont'd)

Volan asked if enrollment at Indiana University (IU) was expected to level out over the next decade. He wondered if there would be a need for more student housing.

Council Questions:

Elliott thought the proposed regulations on student housing would not be an issue if enrollment declined, as there would be less demand for four- and five-bedroom units. However, he doubted that enrollment would actually decline.

Volan asked why it was appropriate to segregate students into particular areas of the city or into student housing zones.

Elliott said the UDO did not call for a specific student housing zone. Instead, he pointed out, it regulated four- and five-bedrooms differently (and developments with a certain portions of three-bedroom units).

Volan asked why the city should allow four- and five-bedroom units when the only people who rented such units were students.

Elliott said there was still a market for such units, and it was more efficient to build those kinds of units.

Sturbaum argued that allowing higher densities on the corners of neighborhoods would negatively impact the neighborhood.

Elliott acknowledged that some people might disagree with the idea. He said that others thought it was an idea worth discussing, which was why it was included.

Volan asked Elliott to elaborate how the new UDO would reduce the number of planned unit developments (PUDs).

Elliott spoke about the difficulties of utilizing a large number of PUDs within the city. He said having objective standards would provide predictability and transparency, as well as reduce the amount of time it took to negotiate and administer PUDs.

Volan asked if PUD-usage went down in other cities that made the sort of changes included in the proposed UDO.

Elliott said yes. He suggested that the city be explicit about the kinds of amenities it wanted to see when a PUD was adopted.

Bob Arnove thanked the Council for proclaiming an encomium at its previous meeting for Toby Strout, and for naming a portion of South Washington Street "Toby Strout Way."

• PUBLIC [7:15pm]

Daniel Bingham spoke about the importance of sustainability and the need to respond to global climate change.

There were no appointment to Boards and Commissions.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Volan moved and it was seconded that Ordinance 19-07 be read by title and synopsis only. The motion was approved by voice vote. City Clerk Nicole Bolden read the legislation by title and synopsis, giving the committee do-pass recommendation of Ayes: 7, Nays: 0, Abstain: 0.

LEGISLATION FOR SECOND READING AND RESOLUTIONS [7:25pm]

Volan moved and it was seconded that Ordinance 19-07 be adopted.

Ordinance 19-07 Amending Title 15 of the Bloomington Municipal Code Entitled “Vehicles and Traffic” – Re: Updating Permissible Towing and Storage Fees for Authorized Towing Services

Michael Rouker, City Attorney, presented the legislation to the Council. He explained that the ordinance increased the maximum permissible towing fees that the city’s authorized towing partners could charge for city-initiated tows. He said the ordinance was proposed, in part, to bring the city’s fees in line with the fees other public agencies charged.

Sims asked if the cap on permissible towing fees simply represented the maximum amount that could be charged, or if it represented the fee that actually would be charged after every tow.

Council Questions:

Rouker said that the ordinance imposed a maximum allowable amount. He suggested that one of the city’s authorized towing partners speak to whether a lesser amount would ever be charged.

Ken Parrish, Ken's Westside Service & Towing, explained that the towing fee paid for the company to attach a vehicle to the tow truck and transport it away from the scene. He noted other additional fees that could be charged, depending on special circumstances.

Ruff said he had received complaints from local residents about predatory towing practices. He asked if there was any connection between predatory private tows and the city-initiated tows.

Rouker said no. He said some other cities in Indiana had predatory towing ordinances, but Bloomington did not. He said one option available to the city for dealing with inappropriate practices during city-initiated tows was to discontinue its partnership with any company engaged in such practices.

Ruff asked if the city had any role in resolving disputes over a particular bill for services.

Rouker said generally no. He said the city had reviewed certain situations with the Police Department and the towing company to make sure everything was done appropriately.

Parrish said that the costs of collecting or enforcing certain fees would often outweigh the benefits to the tow company. He said many companies tried to work with customers depending on the situation.

Sturbaum asked if someone parked illegally might be towed.

Parrish said that would only happen if an officer determined the vehicle was parked illegally and called a tow company.

There was no public comment.

Public Comment:

Sandberg said that she supported the ordinance and appreciated that the companies worked with people who found themselves in tough situations.

Council Comment:

Sims said he appreciated the comments from Rouker and Parrish. He wanted to make sure that the city was keeping in mind the people who could not easily afford towing fees. Rollo thanked Rouker for presenting the legislation.

The motion to adopt Ordinance 19-07 received a roll call vote of
Ayes: 7, Nays: 0, Abstain: 0 (Volan out of room) (Granger absent).

Vote to adopt Ordinance 19-07
[8:04pm]

There was no legislation for first reading.

LEGISLATION FOR FIRST
READING

There was no additional public comment.

ADDITIONAL PUBLIC COMMENT

There were no changes to the council schedule.

COUNCIL SCHEDULE [8:05pm]

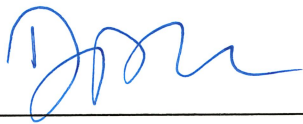
The meeting was adjourned at 8:07pm.

ADJOURNMENT

APPROVED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this
1st day of May, 2019.

APPROVE:

ATTEST:



Dave Rollo, PRESIDENT
Bloomington Common Council



Nicole Bolden, CLERK
City of Bloomington